

Agenda**Environmental Protection
Commission**

September 20, 1999

10:00 AM

University Hygienic Laboratory, 102 Oakdale Campus,
Iowa City, Iowa**Public Participation**

10:30 A.M.

Appointment: Rick Robinson (Section 319 Contracts Presentation)

11:00 A.M.

Appointment: Steve Andresen - Enviro Safe Air (Item 17A)

11:30 A.M.

Agenda topics

1. Approve Agenda
2. Approve Minutes of August 16, 1999
3. Director's Remarks Paul Johnson
- ~~4. FY2001 Operating Budget Approval Linda Hanson (Decision)~~
5. Waste Tire Management County Grant Program Royce Stanley (Decision)
Contracts
6. Regional Collection Center Program Financial Assistance Royce Stanley (Decision)
Grants
7. Solid Waste Alternatives Program Financial Assistance Royce Stanley (Decision)
8. Hazardous Chemicals in Schools Pilot Project Royce Stanley (Decision)
9. Monthly Reports Mike Valde (Information)
10. Section 319 Nonpoint Source Pollution Control Project Mike Valde (Decision)
Contracts
11. FY 2000 - Environmental Monitoring and Laboratory Mike Valde (Decision)
Services Agreement with University of Iowa UHL
12. Proposed Rule--Chapter 61, Water Quality Standards, Mike Valde (Information)
COE Nationwide Permits
13. Proposed Rule--Chapter 22, Revised Cap on Title V Mike Valde (Information)
Operating Permit Fees

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14.	Revision of State Implementation Plan for PM ₁₀ for Mason City	Mike Valde (Information)
15.	Linn County Air Pollution Control Program Agreement Amendment	Mike Valde (Decision)
16.	Maintenance Contract for State Permitting and Air Reporting System (SPARS)	Mike Valde (Decision)
17.	Referrals to the Attorney General — <u>Tabled</u>	Mike Murphy (Decision)
18A	a) Enviro Safe Air (Sioux City)	
18.	<i>Final Rule -- Ch. 135 - Technical Standards & Corrective Action Requirements for Owners & Operators of UST's</i> Approval of Enforcement Action—Darwin Eimers and David O'Brien	Mike Murphy (Decision)
19.	General Discussion	
20.	Address Items for Next Meeting	
21.	Commission Tour/Information - Air Monitoring Demonstration	UHL Staff (Information)
Next Meeting Dates	October 18, 1999 November 15, 1999 December 20, 1999	

ENVIRONMENTAL PROTECTION COMMISSION

Sept. 20, 1999

NAME

COMPANY OR AGENCY

CITY

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Jim Klosterbauer

Alliant Energy

Cedar Rapids

DAN VEST

GROWMARK, INC

BLUMINGTON, IL

Lynn Hudachek

UHL

I.C.

Lonnie Kerslake

UHL

J.C.

Terry Cain

UHL

I.C.

JANE McALISTER

ANCHERS LAW FIRM

DSM

Elizabeth Anderson

ABI

DSM

David Riley

CHEEC

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Pete Wey

CHEEC

IC

Michael Wichman

University Hygienic Lab

IC

Jen Jacobson

Gazette

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DAVID LARABEE-ZIERATH

Bruce Varga

WRIGHT CO. CONSR.

Clarion

STEVE GUYER

MIDAMERICAN ENERGY

Des Moines

Rick Kelley

UHL

DMF

Steve Andreasen

ESA

Sioux City

MALCOLM GIBSON

ESA.

" "

Stacy Freeborn

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ENVIRONMENTAL PROTECTION COMMISSION

September 20, 1999

NAME

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Pamela A. Kastle	UHL	Iowa City
Myra Emerson	Sienna Club	I. C.
George Brewer	UHL	Iowa City

RECORD COPY EPC
File Name ADM-1-1-1 Meeting
Initials JH Sept 30,
1999

MINUTES
OF THE
ENVIRONMENTAL PROTECTION COMMISSION
MEETING

SEPTEMBER 20, 1999

UNIVERSITY HYGIENIC LABORATORY
OAKDALE CAMPUS
IOWA CITY, IOWA

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MEETING MINUTES

CALL TO ORDER

The meeting of the Environmental Protection Commission was called to order by Vice-Chairperson Townsend at 10:00 a.m. on Monday, September 20, 1999, in the University Hygienic Laboratory, 102 Oakdale Campus, Iowa City, Iowa

MEMBERS PRESENT

James Braun
Elizabeth Christiansen
Randal Giannetto (arrived at 11:00 a.m.)
Rozanne King, Secretary
Kathryn Murphy
Gary Priebe, Vice-Chair
Terrance Townsend
Rita Venner

MEMBERS ABSENT

William Ehm, Chair

Vice-Chair Townsend stated that William Ehm had a business conflict and would not be able to attend the meeting. He noted that Randall Giannetto phoned to say he would be late to the meeting.

ADOPTION OF AGENDA

The following adjustments were made to the agenda:

- Add: Appointment - Steve Andresen – Enviro Safe Air (Item 17a)
- Delete: Item #4 - FY 2001 Operating Budget Approval
- Add: Item #18A – Final Rule --Chapter 135, Technical Standards and Corrective Action Requirements for Owners and Operators of UST's (MTBE)

Vice-Chair Townsend reported that staff has pulled Item # 4 from the agenda. He related that it will be necessary to hold an electronic meeting before the end of the month to act on this item.

Motion was made by Rozanne King to approve the agenda as amended. Seconded by Elizabeth Christiansen. Motion carried unanimously.

APPROVED AS AMENDED

APPROVAL OF MINUTES

Motion was made by Rozanne King to approve the meeting minutes of August 16, 1999, as presented. Seconded by Rita Venner. Motion carried unanimously.

APPROVED AS PRESENTED

DIRECTOR'S REPORT

Paul Johnson, Director, reported there was an article in the Des Moines Register today relating to hog issues. He noted that it is a reminder that there is a lot of work to do and a lot of progress has been made, but there is still a ways to go. He related that staff is working hard on these issues by putting together some ideas for the Commission on what is working well and the things that need improvement. He encouraged the Commission to let him and the staff know if they have any ideas as well. Director Johnson explained the budget process and the reason the budget item was delayed. He stated that the department is pursuing four initiatives and is still looking at next year as being Earth Year 2000. The other initiatives the department will pursue in the coming year are Improving Iowa's Waters and Livable Iowa.

WASTE TIRE MANAGEMENT COUNTY GRANT PROGRAM CONTRACTS

Roya Stanley, Division Administrator, Waste Management Assistance Division, presented the following item.

Commission Approval Requested

The Department has accepted and reviewed applications for fiscal year 2000 funds that are currently available through Chapter 215 "Waste Tire Management County Grant Program." In this annual grant round 43 applications were received, representing a total of 80 counties (12 regional applications representing multiple counties were received). Applicants requested a total of \$1,417,651; a total of \$1,075,832 is available for allocation. Of these applications the Department has recommended 35 for receipt of all of the available grant funds.

A listing of all grant applicants recommended by the Department for award is provided to the Commission for their information. The Commission is also requested to approve contracts for twelve (12) recommended applicants that are in excess of \$25,000.

County Grant Program Summary

The Iowa General Assembly adopted comprehensive waste tire management legislation, HF 2433, during the 1996 Session. One component of HF2433 is a grant program for counties,

designed to promote the proper management of waste tires at the community level. Administrative rules for the grant program are established under Chapter 215, Waste Tire Management County Grant Program.

The program's grant funding is available to counties on a competitive basis, through an annual grant application process. Grant funding is available for six fiscal years (1997-2002). Grant awards will be allocated to county boards of supervisors, or to designees of each board, for which the Department has approved a grant application. Designees may include public or private entities.

Grants are used for establishing and implementing local public education programs on proper waste tire management. Education programs include information on proper tire maintenance, the hazards of improper disposal, and options for proper tire disposal normally available in the area. The programs also include the hosting of waste tire "amnesty" collection events whereby a designated site(s) within each participating county temporarily allows for the collection of waste tires from the public without a fee. All programs have identified a processor or method of beneficial end use for the waste tires collected through the program.

Since the program's inception in the fall of 1996 the Department has allocated over \$2.7 million to counties. The program has served 94 counties, and has accounted for the proper collection and recycling of over 2.5 million waste tires. Counties have taken initiatives to educate citizens concerning waste tire issues through creating educational programs, brochures, and media campaigns with funds awarded. These initiatives are coordinated with high school driver education classes, local solid waste recycling education programs, and other local government agencies.

Applicant Summary

- 43 applications were received, representing 83 counties
- 12 of the applicants filed "regional" applications, accounting for 49 of the total counties
- Applicants included county boards of supervisors, solid waste associations, environmental health departments, and regional council of governments (COGs)
- \$1,417,651 in grant funds requested
- \$1,075,832 in grant funds available
- 35 applications approved for funding
- 8 applications denied funding
- Some approved applications may have received less funding than requested due to a remaining balances from previous grant awards, or if the department determined the applicant could successfully implement the proposed program with less funding than requested

Review Process

A grant review team consisting of two Waste Management Assistance Division staff and an individual from Bluestem Solid Waste Agency (Linn County) reviewed the applicants and scored them individually using a 100-point criterion, as specified in the rules for the program. The

team also considered the amount of funds requested by an applicant as compared to the county's total population in making recommendations for funding awards.

The following tables provide a listing of all grant applicants recommended by the Department for funding awards in fiscal year 2000. Recommended recipients of less than \$25,000 are listed in the table shown on the next page.

APPLICANT (awards under \$25,000)	COUNTY REPRESENTED	GRANT AWARD
Boone County Board of Supervisors	Boone	15,000
Clarke County Landfill Commission	Clarke	10,000
Decatur County Board of Supervisors	Decatur	10,000
Delaware County Solid Waste Disposal Comm.	Delaware	10,000
Des Moines County Board of Supervisors	Des Moines	12,500
Fremont County Landfill Commission	Fremont	8,000
Great River Regional Waste Authority	Henry, Lee	11,683
Hardin County Solid Waste Commission	Hardin	10,000
Harrison County Landfill Commission	Harrison	10,000
Howard County Department of Waste Management	Howard	10,000
Jasper County Board of Supervisors	Jasper	15,000
Louisa County Conservation Board	Louisa	10,000
Madison County Board of Supervisors	Madison	15,000
Marshall County Solid Waste Management	Marshall	13,512
Monona County Landfill Agency	Monona	9,000
Page County Landfill Association	Page	12,000
Plymouth County Solid Waste Agency	Plymouth	11,300
Ringgold County Board of Supervisors	Ringgold	7,500
Southeast Iowa Multi-County Solid Waste Agency	Jefferson, Keokuk, Washington	8,977
Warren County Board of Supervisors	Warren	15,000
Wayne County Board of Supervisors	Wayne	8,500
Woodbury County Area Solid Waste Agency	Woodbury	20,000
Wright County Board of Supervisors	Wright	10,000
TOTAL		\$262,116

Applicants that the Department has recommended for funding awards of greater than \$25,000 are listed in the table below:

APPLICANT (with recommended awards over \$25,000)	COUNTY REPRESENTED	RECOMMENDED AWARD
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Bi-State Regional Solid Waste Commission	Cedar, Clinton, Dubuque, Jackson, Muscatine, Scott	\$140,000
Council Bluffs Health Department	Pottawattamie, Mills	31,086
East Central Iowa Council of Governments	Benton, Iowa, Tama, Johnson, Jones, Linn	115,000
Iowa Northland Regional Council of Governments	Black Hawk, Bremer, Buchanan, Butler, Chickasaw, Grundy	113,771
Metro Waste Authority	Polk	61,888
Northwest Iowa Area Solid Waste Agency	Clay, Lyon, Obrien, Osceola, Sioux	50,000
Northwest Iowa Planning and Development Commission	Dickinson, Emmet, Palo Alto, Pochahontas	45,000
Ottumwa/Wapello Solid Waste Commission	Wapello, Davis, Van Buren,	37,198
South Central Iowa Solid Waste Agency	Lucas, Marion, Monroe, Poweshiek	54,013
Story County Health Department	Story	30,000
Union County Landfill Commission	Adams, Taylor, Union	29,760
West Central Iowa Solid Waste Management	Audubon, Calhoun, Carroll, Crawford, Greene, Guthrie, Ida, Shelby,	106,000
TOTAL		\$813,716

At this time the Commission is requested to approve the contracts for the above recommended applicants of \$25,000 or greater. Contract summaries have been attached for the Commission's information and review.

Bi-State Regional Solid Waste Commission \$140,000 Grant

The Recipient will implement a waste tire management program throughout Cedar, Clinton, Dubuque, Jackson, Muscatine, and Scott Counties. The program will provide an "amnesty" day at selected locations in each county. A major focus of the recipient's program will be on education. Educational efforts will include a multi-media campaign to promote proper waste tire management to the public; this will include television public service announcements and the development of a slogan or theme that will be used on billboards, advertising and other media forms.

Council Bluffs Health Department \$31,086 Grant

SCOPE OF WORK

Program Description. The Recipient will implement a waste tire management program throughout Pottawattamie and Mills County. The program will consist of the establishment of a tire “amnesty” day to be held at a centralized location in Mills County, where the public may bring in waste tires without a disposal fee. The Council Bluffs Recycling Center will then host a year-round tire disposal program where Pottawattamie County residents will be allowed to dispose of a limited amount of waste tires at no charge. Educational programs and activities regarding proper management and recycling of waste tires will be conducted through information and presentations to high school drivers’ education classes, public libraries, and other outreach programs. It is estimated that over 20,000 waste tires will be collected through this program.

East Central Iowa Council of Governments \$115,000 Grant

SCOPE OF WORK

Program Description. The Recipient will implement a waste tire management program throughout Benton, Iowa, Tama, Johnson, Jones, and Linn counties. The program will consist of the establishment of a variety of tire collection events, including tire “amnesty” days, to be held during specified periods at local landfills, secondary roads facilities, and at local community sites, where the public may bring in waste tires without a disposal fee at this event. The events will be scheduled for the spring of 2000. Educational programs and activities regarding proper management and recycling of waste tires will be conducted through the printing and distribution of brochures, as well as the use of local newspapers, flyers, billboards and other venues. Specific outreach will also be conducted in schools through drivers’ education programs. It is estimated that over 75,000 waste tires will be collected through this program.

Metro Waste Authority \$61,888 Grant

SCOPE OF WORK

Program Description. The Recipient will implement a waste tire management program throughout Polk County, herein referenced as the Program Service Area. The program will be implemented by providing county residents in the Program Service Area with an opportunity to bring waste tires to designated locations during a specified “amnesty” period. Local governments and cities will also be given an opportunity to collect tires during special one-day clean-up events. The Recipient will also develop educational materials designed to draw attention to concerns raised by improper disposal of waste tires, tire preventative maintenance and care, and recycling options that may be continually available aside from the grant program. This will be accomplished through the development of a multi-media campaign using television public service announcements. Other counties, including Audubon, Boone, Carroll, Calhoun, Crawford, Greene, Guthrie, Ida, Jasper, Lucas, Madison, Marion, Monroe, Poweshiek, Shelby, Story, and Warren will cooperate with Metro Waste Authority on this multi-media effort.

Northland Regional Council of Governments \$113,771 Grant**SCOPE OF WORK**

Program Description. The Recipient will implement a waste tire management program throughout Black Hawk, Bremer, Buchanan, Butler, Chickasaw, and Grundy counties. The program will consist of the establishment of a tire “amnesty” day, to be held at a centralized location in each county, where the public may bring in waste tires without a disposal fee. Educational programs and activities regarding proper management and recycling of waste tires will be conducted through information and presentations to high school drivers’ education classes, public libraries, and other outreach programs. It is estimated that over 80,000 waste tires will be collected through this program.

Northwest Iowa Area Solid Waste Agency \$50,000 Grant**SCOPE OF WORK**

Program Description. The Recipient will implement a waste tire management program throughout Clay, Lyon, O’Brien, Osceola, and Sioux counties. The program will consist of the establishment of a tire “amnesty” day, to be held at a centralized location in each county; the public may bring in waste tires without a disposal fee at this event. The events will be scheduled for the fall of 1999. Educational programs and activities regarding proper management and recycling of waste tires will be conducted through the printing and distribution of brochures, as well as the use of local newspapers, flyers, billboards and other venues. It is estimated that over 50,000 waste tires will be collected through this program.

Northwest Iowa Planning and Development Commission \$45,000 Grant**SCOPE OF WORK**

Program Description. The Recipient will implement a waste tire management program throughout Dickinson, Emmet, Palo Alto, and Pocahontas counties. The program will consist of the establishment of a tire “amnesty” day, to be held at a determined secondary-roads’ shed located in each county; the public may bring in waste tires without a disposal fee at this event. The events will be scheduled for the spring of 2000. Educational programs and activities regarding proper management and recycling of waste tires will be conducted through the printing and distribution of brochures, as well as the use of local newspapers, flyers, billboards and other outreach. It is estimated that over 35,000 waste tires will be collected through this program.

Ottumwa Wapello Solid Waste Commission**\$37,198****Grant****SCOPE OF WORK**

Program Description. The Recipient will implement a waste tire management program throughout Davis, Van Buren, and Wapello counties. The program will consist of the establishment of city-wide tire “amnesty” days, to be held at participating cities in the recipient’s area during the spring of 2000, whereby citizens will be allowed to dispose of a specified number of waste tires without cost. Other collection events will focus on the cleanup of small collections of waste tires at identified sites, and local civic and youth groups will be able to earn a “bounty” fee for cleaning up these small collections. Educational programs and activities regarding proper management and recycling of waste tires will be conducted through the printing and distribution of brochures, as well as the use of local newspapers, flyers, billboards and other outreach. It is estimated that over 40,000 waste tires will be collected through this program.

South Central Iowa Solid Waste Agency**\$54,013****Grant****SCOPE OF WORK**

Program Description. The Recipient will implement a waste tire management program throughout the Lucas, Marion, Monroe, and Poweshiek Counties, herein referenced as the Program Service Area. The program will consist of providing three “amnesty” periods, each of one month duration, throughout the year. Also, special one-day collection events will be held in conjunction with city and county clean-up efforts within the Program Service Area, and cooperative efforts with local waste haulers to bring in or pick up tires will be considered. The Recipient’s environmental education specialist will incorporate public education concerning proper waste tire disposal and management into the Recipient’s recycling programs, activities, and educational materials. The Agency will also use a portion of its’ funding to support Metro Waste Authority’s multi-media campaign on local television networks. It is estimated that over 30,000 waste tires will be collected through this program.

Story County Health Department**\$30,000****Grant****SCOPE OF WORK**

Program Description: The Recipient will implement a waste tire management program throughout Story County. The program will consist of providing an “amnesty” day at two selected Iowa Department of Transportation (IDOT) service garages in the county, whereby residents will be able to drop off waste tires for no charge during the day-long event. The Recipient will also allow individual municipalities to collect tires during one-day “clean sweep” city clean-up days during the year. The Recipient will be using a portion of grant funds to work with Metro Waste Authority to develop a television media campaign to promote proper

management of waste tires. Other educational strategies will be developed, including displays and presentations to students and the public regarding proper waste tire disposal. It is estimated that over 20,000 waste tires will be collected through the program.

Union County Landfill Commission**\$29,760****Grant****SCOPE OF WORK**

Program Description. The Recipient will implement a waste tire management program throughout Adams, Taylor, and Union Counties, herein referenced as the Program Service Area. The program will consist of the hosting of an amnesty day at each county's solid waste landfill or transfer station, where tire will be collected from the public at no charge. The program will seek to maximize participation of residents throughout the Program Service Area, while also educating the public concerning proper waste tire management and disposal options, preventative maintenance and tire care, and the hazards of improper disposal. Special educational outreach will be conducted through drivers' education classes, civic groups, and by a billboard campaign to promote proper waste tire management. Over 17,000 tires are estimated to be collected through the program.

West Central Iowa Solid Waste Management**\$75,000****Grant****SCOPE OF WORK**

Program Description. The Recipient will implement a waste tire management program throughout Audubon, Calhoun, Carroll, Crawford, Greene, Guthrie, Ida, and Shelby Counties, herein referenced as the Program Service Area. The program will consist of the hosting of a one-week waste tire amnesty collection program in each county, held at each landfill over a period of five consecutive weeks. The program will also consist of the establishment of special "tire clean-up days" in certain communities throughout the Program Service Area, whereby local residents may also bring in waste tires for disposal. Each county within the Program Service Area will also receive a certain dollar amount to allow the local secondary roads department to bring in tires which are collected from ditches and ravines. Any funds remaining will be devised in order to allow citizens with larger numbers to bring them to a collection site for disposal. The program will seek to maximize participation of residents throughout the Program Service Area, while also educating the public concerning proper waste tire management and disposal options, preventative maintenance and tire care, and the hazards of improper disposal. The Recipient will also work with Metro Waste Authority to support its multi-media network television campaign. It is estimated that over 80,000 waste tires might be collected through the program.

Ms. Stanley presented details of the contract noting that it asks the counties to look at an end-use program so the tires do not end up in a ditch. She stated that she is seeing more cooperation among the counties and they are becoming more creative in terms of education programs. She

circulated a small replica of a billboard showing an educational effort on old recycled tires, which was done by a grantee in south-central Iowa.

Rita Venner pointed out a difference in the amount of the recommended award in comparison to the grant on the West Central Iowa grant. Ms. Stanley replied that they should be the same and the grant amount is the correct figure.

Brief discussion followed.

Motion was made by Rozanne King to approve the Waste Tire Management County Grant Program contracts as presented. Seconded by Elizabeth Christiansen. Motion carried unanimously.

APPROVED AS PRESENTED

REGIONAL COLLECTION CENTER PROGRAM FINANCIAL ASSISTANCE GRANTS

Roya Stanley, Division Administrator, Waste Management Assistance Division, presented the following item.

The Department received five (5) applications requesting \$556,271 in financial assistance for consideration during the July 1999 round of funding. Each of the five (5) applicant projects was selected for funding. A total of \$422,671 in grant assistance is recommended.

Twelve counties will be added to the list of counties provided with on-going hazardous materials education and proper disposal. This brings the total number of counties provided regional collection center service and benefits to 43. Applications included one (1) new regional collection center, three (3) service area expansions, and the addition of a mobile collection vehicle by an existing regional collection center.

A description of each recommended project is attached.

BACKGROUND

Regional Collection Centers are permanent facilities that provide hazardous waste management education and on-going access to proper disposal of hazardous materials generated by conditionally exempt small quantity business generators and urban and rural households.

Since 1994, eleven (11) regional collection centers have been sited across Iowa. Nine (9) of these facilities are currently operating and the remaining two RCCs are anticipated to be operational in 1999. Seven (7) of the regional collection centers currently operate a mobile collection unit and the remaining four (4) anticipate incorporating a mobile collection unit in the near future. Mobile collection units allow the operating agency to host a hazardous waste clean-up event in every town in their service area. By holding these events in each town, local participation significantly increases by decreasing travel. Incorporating the use of mobile collection units is stressed by the Department to all prospective regional collection center applicants.

In Fiscal Year 1998, regional collection centers received hazardous waste from more than 14,600 households and conditionally exempt small quantity generators. Nearly 1.3 million pounds of hazardous wastes was collected for proper management and disposal. Approximately 50 percent of these hazardous materials were managed locally (i.e. latex paint, used oil, and lead-acid batteries were managed locally for recycling or reuse). Hazardous waste not managed locally was collected by various hazardous waste haulers for out of state landfill disposal or fuel blending.

At this time, the Department is requesting Commission approval to enter into contracts with selected applicants subject to applicant receipt of their solid waste permit or permit amendment.

Bremer County Sanitary Landfill**415 E. Bremer Ave.**

Award Amount

\$67,310

Waverly, Iowa 50677**Local Match:** \$93,800**Total Project Cost:** \$161,110**Contact:** Brett Vette (319) 352-4574**Households Supported** 7,510 (Buchanan Co. only)**Est. Annual HHM Diversion** 25,985 pounds (Buchanan Co. only)**Description:** The applicant will establish a satellite collection site serving Buchanan County to be located in the City of Independence.

East Central Iowa Council of Governments**108 Third Street, SE, Suite 300**

Award Amount

\$109,500

Cedar Rapids, Iowa 52401**Local Match:** \$85,900**Total Project Cost:** \$195,400**Contact:** Jennifer Ryan (319) 365-9941 ext. 31**Households Supported** 20,999**Est. Annual HHM Diversion** 72,656 pounds**Description:** This application is for placement of three (3) satellite collection centers in Tama, Benton and Iowa counties. The applicant has contracted with Clinton Co. Regional Collection Center to provide collection and disposal services.

City of Iowa City**410 E. Washington St.**

Award Amount

\$100,000

Iowa City, Iowa 52240**Local Match:** \$646,000**Total Project Cost:** \$746,000**Contact:** Dave Elias (319) 356-5170**Households Supported** 37,171**Est. Annual HHM Diversion** 128,611 pounds**Description:** The applicant will construct and operate a permanent RCC facility

supporting all of Johnson County and two (2) communities in Washington County.

Landfill of North Iowa
15942 Killdeer Ave.
Clear Lake, IA 50428

Award Amount

\$133,900

Local Match: \$12,000

Total Project Cost: \$145,900

Contact: Rob Kraemer (515) 357-5452

Households Supported 16,322 (Floyd, Mitchell, and Chickasaw Counties only)

Est. Annual HHM Diversion 56,747 pounds

Description: The applicant will expand the current regional collection center service by adding Floyd, Mitchell, and Chickasaw Counties. The project also includes constructing an addition to the existing facility in order to adequately serve the additional continues.

Southeast Multi-County Solid Waste Agency
29997 Hwy. 78
Richland, IA 52585

Award Amount

\$11,961

Local Match: \$6,321

Total Project Cost: \$18,282

Contact: Ray Griffin (319) 456-6171

Households Supported 17,680

Est. Annual HHM Diversion 5,813 pounds

Description: The application is for the purchase and operation of a mobile collection vehicle supporting Jefferson, Keokuk, and Washington Counties. The project's goal is to expand participation by increasing participant convenience. Collected materials will be brought back to the regional collection center located in Keokuk County

Ms. Stanley distributed copies of a map showing regional collection centers for hazardous waste and their locations around the state. She reviewed details of the applications for financial assistance.

Elizabeth Christiansen asked if most of the RCC's are accepting material from commercial conditionally exempt small quantity generators and if they are charging a fee.

Ms. Stanley noted that they are accepting from small quantity generators and some of them are charging a fee.

Motion was made by Rozanne King to approve the Regional Collection Center Program Financial Assistance Applications as presented. Seconded by James Braun. Motion carried unanimously.

APPROVED AS PRESENTED**SOLID WASTE ALTERNATIVES PROGRAM FINANCIAL ASSISTANCE**

Roya Stanley, Division Administrator, Waste Management Assistance Division, presented the following item.

The Department received twenty (20) pre-proposals, requesting \$ 2,133,167 million in financial assistance, for consideration during the July 1999 round of funding. Twelve (12) applicant projects were selected to receive \$1,049,091 in a combination of forgivable loans, zero interest loans, and 3% interest loans. A description of each recommended project, the project type, the amount and type of funding assistance is attached followed by a description of other proposals received.

To provide the best and most responsive program, the Waste Management Assistance Division established a 26 member Advisory Committee in June of 1998 to revise and update its Landfill Alternatives Financial Assistance Program. The Advisory Committee represents the Division's stakeholders, including business and industry, state agencies, solid waste organizations, non-profit organizations, educators, and local governments. The revised program has been renamed the Solid Waste Alternatives Program. It focuses on best practices in pollution prevention and recycling, market development and education.

Proposals are accepted on a year round basis and are reviewed four times a year. After initial review selected applicants are contacted to provide further information about the proposed project. Upon satisfactory evaluation of this information, a funding decision is made. There are three (3) types of financial assistance that will be awarded to an applicant selected to receive funding: forgivable loan, zero interest loan, and a 3% interest loan. The type of financial assistance awarded depends upon the awarded amount. The first \$20,000 of an award will be in the form of a forgivable loan. The next 150,000 of an award will be in the form of a zero interest loan. The remainder of an award will be in the form of a 3% interest loan.

The table below summarizes recommendations by applicant and project type and by the type of award.

Recommended By Applicant Type	# Awards	Award Amount	Forgivable Loan Portion
Local Government	5	\$81,255	\$81,255
Private For Profit	5	\$927,240	\$60,000
Private Not For Profit	2	\$40,596	\$35,756

Recommended By Project Type	# Awards	Award Amount	Forgivable Portion	Loan
Best Practices	6	\$741,195	\$61,255	
Education	4	\$80,596	\$75,756	
Market Development	2	\$227,300	\$40,000	
Type of Award	# Awards	Award Amount	Forgivable Portion	Loan
Forgivable loan only	6	\$97,011	\$97,011	
Combination of Forgivable and Zero interest loans	4	\$271,358	\$60,000	
Combination of Forgivable, Zero, and 3% Loans	2	\$680,722	\$20,000	

At this time, the Department is requesting Commission approval to enter into contracts with selected applicants subject to satisfactory negotiation of budget, match and deliverables.

SOLID WASTE ALTERNATIVES PROGRAM PROPOSAL RECOMMENDATIONS – JULY 1999

Twelve (12) projects from the 20 proposals submitted for consideration were selected to receive \$1,049,089 in a combination of forgivable loans, no-interest loans, and 3% interest loans. The following provides a description of each selected project, the project type, and the amount and type of funding assistance. The descriptions are organized in order of projects above \$25,000, those under \$25,000, and projects received but not selected.

PROPOSAL RECOMMENDATIONS: ABOVE \$25,000

MARKET DEVELOPMENT PROJECTS

Filter Recycling, Inc.		Forgivable Loan:	\$20,000
315 Lake Street		Zero Interest Loan:	\$113,050
Cherokee, IA 51012		3% Loan:	\$0
		Total Award Amount:	\$133,050
		Local Match:	\$1,034,650
		Total Project cost:	\$1,667,700
Project Title:	Oil Filter Recycling Project		
Contact:	R.J. Baker 712-225-5739		
Project Type:	Market Development		
Applicant:	Private For Profit		
Description:	The applicant will improve their used oil filter recycling business.		

The project will provide additional equipment needed in the collection and processing of oil filters, free oil, and related oil products. Currently, they are constructing a high temperature heat cleaning oven to extract 100% of the used oil from the oil filters resulting in a clean, high quality scrap steel free from oil residue. Once fully operational the oven is capable of recycling 20 million used oil filters. It is estimated that Iowa discards up to 13 million oil filters annually.

Primary Deliverables:

- ~~Introduction of a high heat cleaning technology to Iowa that is capable of burning all of Iowa's used oil filters.~~

Target Area: State of Iowa

Central Construction and Recycling, Inc.
1805 Euclid Avenue
Des Moines, IA 50313

Forgivable Loan: \$20,000
Zero Interest Loan: \$74,250
3% Loan: \$0
Total Award Amount: \$94,250

Local Match: \$94,745
Total Project cost: \$188,995

Project Title: Post Consumer Asphalt Shingle Used as a Surfacing Material
Contact: Robert Hosier 515-243-6402

Project Type: Market Development
Applicant: Private For Profit

Description: The applicant will accept and grind post consumer asphalt shingles. The ground material will then be transported to an asphalt company to be incorporated into asphaltic concrete suitable for road and trail construction and repair. Approximately 350 tons of asphalt shingles will be used in these two pilot projects with 6,700 tons of asphalt shingles expected to be used this year.

Primary Deliverables:

- The Polk County Conservation Board trail construction
- The City of Urbandale will use the material in parking lot or road construction.
- A manual promoting the use of Asphalt Cement Concrete including testing of the product; processing and mixing techniques; and discussion of the pilot projects.

Target Area: Des Moines metropolitan area

BEST PRACTICES PROJECTS

Stylecraft
Highway 71 South
Milford, IA 51351

Forgivable Loan: \$0
Zero Interest Loan: \$170,000
3% Loan: \$148,750
Total Award Amount: \$318,750

Local Match: \$325,750

Total Project cost: \$664,500

Project Title: Waste Combustion with Energy Recovery
Contact: Gene Robinson 712-338-4727 ext 113

Project Type: Best Practices
Applicant: Private For Profit
Description: The applicant will install a trash combustor for heat recovery in their plant to consume production waste such as furniture remnants.

Primary Deliverables:

- A manual on the cost effectiveness for businesses to invest in a trash combustor for heat recovery outlining steps to make an operation of this type successful.
- Inventory of the reduction in landfilled tonages

Target Area: Stylecraft Industries

Bagley Protein Products, L.C.
 3775 E.P. True Parkway, Suite 116
 West Des Moines, IA 50265

Forgivable Loan: \$20,000
Zero Interest Loan: \$150,000
3% Loan: \$191,972
Total Award Amount: \$361,972

Local Match: \$2,280,786
Total Project cost: \$2,642,758

Project Title: Spent Hens to Animal Feed
Contact: Mark Chew 515-226-8771

Project Type: Best Practices
Applicant: Private For Profit
Description: The applicant will process spent hens, soybeans, and rice meal into livestock and pet food. The hens will be processed on site and then transported to the factory to be mixed with the soybean and rice meal. 1.75 million spent hens (3,062 tons) will be processed over the next two years. 3.5 million hens (6,125 tons) processed annually thereafter.

Primary Deliverables:

- Establishment of an economical disposal method for poultry producers.
- Information on the benefits of this disposal option to the state. Currently, Iowa is 3rd in the nation in poultry production soon to be 2nd.

Target Area: Poultry producers within a 100 mile radius of Bagley**PROPOSAL RECOMMENDATIONS: BELOW \$25,000****EDUCATION PROJECTS**

Econservation Institute
1511 Third Ave, Suite 1000
Seattle, Washington 98101

Forgivable Loan: \$20,000
Zero Interest Loan: \$4,840
3% Loan: \$0
Total Award Amount: \$24,840

Local Match: \$36,240
Total Project cost: \$61,080

Project Title: Optimizing Recycling Education: A Quantitative Study of Effects
Contact: Lisa Skumatz, Ph.D. 206-624-8508

Project Type: Education
Applicant: Private Not For Profit

Description: In cooperation with the Iowa Recycling Association, the applicant is proposing to develop, distribute, and analyze a survey that will gather information on educational expenditures and outreach methods, diversion program features, community demographics, and other data. The applicant will quantify the diversion impacts associated with the level and type of outreach method employed.

Primary Deliverables:

- Develop tools for communities to use to achieve a cost effective education plan.
- User-friendly guide for communities to help them plan and optimize their recycling education efforts.

Target Area: All of Iowa

Des Moines Area Community College
2006 S. Ankeny Blvd.
Ankeny, IA 50021

Forgivable Loan: \$20,000
Zero Interest Loan: \$0
3% Loan: \$0
Total Award Amount: \$20,000

Local Match: \$22,740
Total Project cost: \$42,740

Project Title: Recycled Content Playground Equipment
Contact: Judy Dally, Director 964-6588

Project Type: Education
Applicant: Local Government

Description: The applicant will build a recycled content playground at the Ankeny Campus Child Development center. The playground will become a component of their early childhood teacher and administrator education program, and it will be included in tours of the facility by attendees of workshops, seminars, and conferences at the campus.

Primary Deliverables:

- Incorporates recycling into curriculum of early childhood teachers and school administer program.
- A playground constructed of recycled content materials with prominent signage.
- Brochure about the project that will be distributed to K-12 school districts professional associations of educators, and at public events.

Target Area: All Des Moines Community College day care children, students, and faculty.
Des Moines area educators and administrators as well as the general public.

McIntire Action Club
301 Fifth Street
McIntire, IA 50455

Forgivable Loan: \$15,756
Zero Interest Loan: \$0
3% Loan: \$0
Total Award Amount: \$15,756

Local Match: \$18,152
Total Project cost: \$33,908

Project Title: Recycled Content Playground Equipment
Contact: Mark Kramer 515-985-2037

Project Type: Education

Applicant: Private Not For Profit

Description: The applicant will build a recycled content playground. The playground will be used as a recycling and waste reduction educational tool by the local county conservation board and school districts.

Primary Deliverables:

- A playground constructed of recycled content materials with prominent signage related to recycling and the playground equipment.
 - Educational lesson plans incorporating the playground into school programs.
- The City of McIntire and surrounding rural communities

Target Area:

Van Buren County Solid Waste
406 Dodge St.
Keosauqua, IA 52565

Forgivable Loan: \$20,000
Zero Interest Loan: \$0
3% Loan: \$0
Total Award Amount: \$20,000

Local Match: \$20,028
Total Project cost: \$40,028

Project Title: Recycling Education Coordinator
Contact: Susan Salterberg, 319-498-4516

Project Type: Education

Applicant: Local Government

Description: The applicant will continue to educate Van Buren County residents in recycling and waste reduction strategies. Currently the planning area has a waste reduction rate of 13%. The education coordinator will focus on increasing waste reduction and

recycling activities to move toward the state mandated 50% waste reduction goal.

Primary Deliverables

- Educational workshop about home composting
- Recycling education presentations to school children for all area schools
- Plan a clean out your files day to promote office recycling
- Develop and disseminate a flyer with paper waste and recycling facts for distribution throughout the county
- encourage area government offices to purchase recycled content products.
- Conduct tours of the recycling center
- Assist and encourage area businesses in waste reduction and recycling.

Target Area: Van Buren County

BEST MANAGEMENT PRACTICES

Ottumwa Housing Authority
101 West Finley Ave
Ottumwa, IA 52501

Forgivable Loan:	\$8,153
Zero Interest Loan:	\$0
3% Loan:	\$0
Total Award Amount:	\$8,153

Local Match:	\$8,161
Total Project cost:	\$16,314

Project Title: Multi-family Recycling
Contact: Pete Rich 515-682-8369

Project Type: Best Practices
Applicant: Local Government

Description: The applicant will develop a recycling program for two of Ottumwa Housing Authorities apartment complexes. Three compartment recycling containers will be placed adjacent to each trash area and serve 53 residents. The goal is a 65% participation rate among the residents for a total of 7 tons of recyclables diverted annually.

Primary Deliverables:

- A manual outlining steps to establish, promote, and maintain a multi-family recycling operation.

Target Area: 53 residents of the Elm Court apartment complex in Ottumwa

Bremer County Recycling
415 East Bremer Ave
Waverly, IA 50677

Forgivable Loan:	\$13,102
Zero Interest Loan:	\$0
3% Loan:	\$0
Total Award Amount:	\$13,102

Local Match:	\$14,000
Total Project cost:	\$27,102

Project Title: Old Corrugated Cardboard (OCC) Recycling
Contact: Brett Vette 319-352-4574

Project Type: Best Practices
Applicant: Local Government
Description: The applicant will purchase five recycling containers and distribute them throughout 4 cities in the county for collection. The existing smaller containers will be loaned to individual business in the county that generate large volumes of OCC. The increased volume of the replacement recycling containers will allow for lower transportation costs.

Primary Deliverables:

- A booklet outlining their steps to establish a cost effective rural recycling collection system.

Target Area: The cities of Summer, Plainfield, Janesville and Denver

Decatur County Recycling
Courthouse
207 N. Main
Leon, IA 50144

Forgivable Loan: \$20,000
Zero Interest Loan: \$0
3% Loan: \$0
Total Award Amount: \$20,000

Local Match: \$24,390
Total Project cost: \$44,390

Project Title: Decatur County Recycling
Contact: William F. Greenwood 515-446-4323

Project Type: Best Practices
Applicant: Local Government
Description: The applicant will expand upon an existing recycling collection operation in Decatur County. Currently only the cities of Leon and Lamoni with 2,000 households are being adequately served. Bins and a vehicle will be purchased to establish a regular scheduled mobile collection program that will service the rest of the county's 4,000 households. An estimated 400 tons of recyclable materials can be collected annually once the project is initiated. This project will assist the planning area to increase from 11% in waste reduction toward the statewide 50% waste reduction goal.

Target Area: **Primary Deliverables:**
 • Establishment of a rural recycling program in a county that previously did not offer rural recycling.
 Decatur County

Top Air Manufacturing
317 Savannah Park Road
Cedar Falls, IA 50613

Forgivable Loan: \$0
Zero Interest Loan: \$19,218
3% Loan: \$0
Requested Amount: \$19,218

Local Match: \$30,543
Total Project cost: \$50,384

Project Title: Waste Reduction Painting Equipment

Contact:	Scott Wildeboer
Project Type:	Best Practices
Applicant:	Private for Profit
Description:	Purchase of a High Volume Low Pressure (HVLP) paint gun as part of a electrostatic paint spraying system to reduce paint waste, volatile organic compounds, and hazardous paint waste. Approximately 1,200 pounds of solid paint-related wastes, 2,453 pounds volatile organic compounds, and 100 gallons of hazardous paint waste will be reduced annually.
	Primary Deliverables: <ul style="list-style-type: none"> Tracking of the amount of waste and volatile organic compounds diverted including cost savings.
Target Area:	Top Air Manufacturing

PROPOSALS RECEIVED, NOT RECOMMENDED

Laurens Commercial Recycling 127 N 3 rd Laurens, IA 50554		Forgivable Loan: \$11,512.50 Zero Interest Loan: \$0 3% Loan: \$0 Requested Amount: \$11,512.50 Local Match: \$66,737.50
Project Title: Commercial Recycling Contact: Quentin Mayberry Project Type: Best Practices Applicant: Local Government Description: Establish a recycling center for commercial and industrial use. Target Area: City of Laurens		
Yellow Jacket Manufacturing 758 Cass Street Griswold, IA 51535		Forgivable Loan: \$20,000 Zero Interest Loan: \$16,225 3% Loan: \$0 Requested Amount: \$36,225 Local Match: \$73,775
Project Title: Waste Reduction Painting Equipment Contact: John Marshall Project Type: Best Practices Applicant: Private for Profit		

Description:	Purchase of a High Volume Low-Pressure (HVLP) paint gun to reduce paint waste and volatile organic compounds.
Target Area:	Yellow Jacket Manufacturing

Southeast Iowa Limestone	Forgivable Loan:	\$20,000
303 Kilborn Street	Zero Interest Loan:	\$83,405.50
Denmark, IA 52624	3% Loan:	\$0
	Requested Amount:	\$103,405.50

Local Match: \$163,168.50

Project Title:	Limestone Reclaiming
Contact:	Roneen Henn
Project Type:	Best Practices
Applicant:	Private for Profit
Description:	Reclaiming lime sludge from the water treatment process and drying the lime for agricultural use.
Target Area:	City of Fort Madison

Heartland Ag. Industries, Inc.	Forgivable Loan:	\$20,000
431 South 8th Ave. East	Zero Interest Loan:	\$150,000
Hartley, IA 51346	3% Loan:	<u>\$222,188</u>
	Requested Amount:	\$392,188

Local Match: \$966,987

Project Title:	Eggshell and Food Waste Recycling
Contact:	Mark Schuett
Project Type:	Best Practices
Applicant:	Private for Profit
Description:	Process egg waste and other material into animal feed.
Target Area:	Egg producers within a 100-mile radius of Heartland Ag. Industries

Allen Memorial Hospital	Forgivable Loan:	\$16,300
1825 Logan Ave	Zero Interest Loan:	\$0
Waterloo, Ia 50703	3% Loan:	<u>\$0</u>
	Requested Amount:	\$16,300

Local Match: \$16,675

Project Title:	Recycling Presentation
Contact:	Deb Townsend
Project Type:	Education
Applicant:	Private Not for Profit
Description:	Sponsor the presentation of The Magic School Bus Live – a program about

recycling.
Target Area: Attendees of the Baby Extravaganza a community education event for families

Webster City
400 Second Street
Webster City, IA 50595

Forgivable Loan: \$17,492.03
Zero Interest Loan: \$0
3% Loan: \$0
Requested Amount: \$17,492.03

Local Match: \$7,108.83

Project Title: Webster City Used Oil Recycling Project
Contact: Jan Andrew
Project Type: Best Practices
Applicant: Local Government
Description: Collect used oil to burn for heating the Webster City Street Department.
 Webster City

Target Area:

Tenco
710 Gateway Drive
Ottumwa, IA 52501

Forgivable Loan: \$6,953.75
Zero Interest Loan: \$0
3% Loan: \$0
Requested Amount: \$6,953.75

Local Match: \$14,086

Project Title: Business and Industry Recycling Collection Program
Contact: Jackie Salters
Project Type: Best Practices
Applicant: Private Not for Profit
Description: Purchase ten 8X6 lockable sheds to be used by local business and industry for on site recycling.
Target Area: Ottumwa

Advanced Environmental Technology
32872 Bluffside Drive
Dana Point, CA 92629

Forgivable Loan: \$20,000
Zero Interest Loan: \$150,000
3% Loan: \$330,000
Requested Amount: \$500,000

Local Match: \$25,500,000

Project Title: Army Munitions Recycling Facility
Contact: Ronald E. Gregg
Project Type: Best Practices

Applicant:	Private for Profit
Description:	Proposing to build and operate a recycling facility for decommissioned munitions.
Target Area:	Nationwide

Ms. Stanley stated that 23 proposals were received due to a change made in the program whereby applicants were asked to submit a short pre-proposal rather than the lengthy type used in the past, which may not even have qualified in the end. Of the 23 proposals, 12 full proposals were received and are being recommended for funding. She noted that applications were reviewed by a team of staff and other outside interests, as well as a representative from DED.

Following discussion on various aspects of the proposed projects the following motion was made.

Motion was made by Rita Venner to approve the Solid Waste Alternatives Program Financial Assistance contracts as presented. Seconded by Rozanne King. Motion carried unanimously.

Director Johnson stated that when driving through Minnesota he learned that they have a goal of closing all Minnesota landfills by 2002. He asked how closely we are communicating with the neighboring states on these issues.

Ms. Stanley stated that we are working with neighboring states but not closely enough. She related that she knew Minnesota was gearing toward zero waste but did not know it was with a goal of 2002.

Gary Priebe asked if they decide to send their waste to Iowa whether or not Iowa has to take it.

Ms. Stanley noted that solid waste falls under an Interstate Commerce Clause which states that you cannot interfere with interstate commerce. She related that there are some of these situations out East and there is some discussion on taking action at the federal level in those types of situations.

Director Johnson noted that Minnesota is among the top in the nation on recycling and this is an issue we need to stay on top of, adding it is important to work across state borders.

APPROVED AS PRESENTED

HAZARDOUS CHEMICALS IN SCHOOLS PILOT PROJECT

Roya Stanley, Division Administrator, Waste Management Assistance Division, presented the following item.

I. Project Description

The proposed pilot project will develop an on-going inventory, management, and hazardous chemicals disposal program in four (4) Grant Wood Area Education Agency schools. The program will provide specific inventory and hazardous chemical management training for a minimum of two (2) school officials, ensure an accurate chemical inventory, and support up to fifty percent (50%) of the school's hazardous chemical disposal costs. The project will serve as the pilot for a statewide initiative.

II. Background

The Waste Management Assistance Division has been working with the Linn County Safe Chemical Management for Schools task force. The task force provides a forum for school, waste management, public health and emergency management representatives to discuss chemical use, storage, and disposal in schools. Represented on this task force is the:

- Grant Wood Area Education Agency
- Linn County Health Department
- Iowa Waste Exchange
- East Central Iowa Council of Governments
- Bluestem Solid Waste Agency
- Johnson County council of Governments
- Kirkwood Environmental Training Center
- Cedar Rapids Fire Department

Housed statewide in each of the estimated 1,577 education facilities/buildings is an estimated 500 pounds of hazardous materials totaling approximately 800,000 pounds. Hazardous materials commonly found in school closets, art rooms, wood and auto shops, and science labs include:

• radioactives	• mutagens
• explosives	• carcinogens
• acute toxins	• reactive materials

I. Benefits to the State

- Pilot program designed for Linn County (Grant Wood AEA) for disposal of unwanted, dangerous chemicals currently stored in school maintenance areas, laboratories and art and shop classrooms
- Education and training of school personnel in comprehensive inventory planning and safe chemical management
- Implementation of ongoing comprehensive inventory management plan with technical support to prevent future chemical buildup problems.
- Reduced risk to students, faculty, and the environment through mismanagement, misuse, spills or terrorism;

- Provide the basis for a comprehensive statewide initiative to assist all schools provide a safe environment for Iowa's children.

I. Budget

Item	DNR Request	Local Share	Total Cost
ECICOG project management	\$4,440	\$0	\$4,440
Linn County Health Dept. technical consulting and training materials	\$5,000	\$0	\$5,000
Inventory training for two (2) staff members at participating schools	\$5,000	\$3,200	\$8,200
Not to exceed fifty percent (50%) disposal cost assistance	\$65,560	\$65,560	\$131,120
	\$80,000	\$68,760	\$148,760

At this time the Department is requesting Commission approval to enter into a contract with the East Central Iowa Council of Governments for implementing the hazardous chemical waste management pilot project subject to satisfactory contract negotiation.

Ms. Stanley presented details of the contract noting that staff is looking at getting the program started and expanding it into the rest of the state.

Elizabeth Christiansen commented that she is very pleased to see this program implemented, adding that she has seen a lot of old chemicals in the schools stored in unsafe conditions and there is a real need for the program. She added that the schools should be encouraged to take on micro-chemistry so there isn't such a great need for these chemicals to be stored on site.

Motion was made by James Braun to approve the contract with East Central Iowa Council of Governments as presented. Seconded by Elizabeth Christiansen. Motion carried unanimously.

APPROVED AS PRESENTED

PUBLIC PARTICIPATION

Vice – Chair Townsend announced public participation at 10:50 a.m.; no one requested to speak.

Vice-Chair Townsend thanked Rick Kelley and the UHL staff for hosting the Commission meeting and tour of the UHL labs.

MONTHLY REPORTS

Mike Valde, Division Administrator, Environmental Protection Division, presented the following item.

The following monthly reports are enclosed with the agenda for the Commission's information.

1. Rulemaking Status Report
 2. Variance Report
 3. Hazardous Substance/Emergency Response Report
 4. Enforcement Status Report
 5. Contested Case Status Report
-

Members of the department will be present to expand upon these reports and answer questions.

(A copy of the reports is on file in the department's Records Center)

Mr. Valde presented the routine monthly reports and pointed out that the MTBE rules were not listed on the Rulemaking Status Report but they were added to today's agenda.

Brief discussion followed regarding a case on the variance report.

INFORMATIONAL ONLY

SECTION 319 NONPOINT SOURCE POLLUTION CONTROL PROJECT CONTRACTS

Mike Valde, Division Administrator, Environmental Protection Division, presented the following item.

Commission approval is requested for the following nine contracts for nonpoint source (NPS) pollution control projects.

One of the projects (Battle Creek) is a continuation of an ongoing project that will be funded out of the FFY96 Section 319 grant. The remainder of the contracts will be for projects that will be funded by the FFY99 Section 319 grant, contingent upon award of the EPA grant funds. EPA grants are awarded based on grant workplans that include these specific projects. Funding from other state and federal programs is also being used to support these projects. Most of these projects are multiple year projects and Commission approval is being sought to prepare contracts for each year of the entire project period.

The project costs (i.e., Section 319 funds to be provided during the entire project period), project descriptions, and the activities supported are provided below.

Contracts with the Iowa Department of Agriculture and Land Stewardship - Division of Soil Conservation (IDALS-DSC)

- **Battle Creek Project, \$163,000** - This will be the last two years of an ongoing project to protect and improve shallow groundwater and well water resources in an area of Ida County impacted by agricultural nonpoint source pollutants. The project will provide information and technical

assistance on wellhead protection, demonstrations on renovation of wells and septic systems, nutrient and pest management, and manure management. Contract funds will be used to support a project coordinator and to support the information/education component of the project.

- **Iowa Great Lakes Project, \$37,500** – This contract will support a one year extension of this ongoing project. This project is intended to protect and improve the water quality of the Iowa Great Lakes region in Dickinson County (Lake Okoboji, Spirit Lake, etc.). Continued implementation of best management practices (BMPs) will protect the lakes by reducing sedimentation from erosion of cropland, nutrient loading from commercial fertilizer, and urban impact from the lakes watershed. Contract funds will be used to support the project coordinator and an urban education component as well as to provide financial incentives for implementation of BMPs on agricultural land.
- **Storm Lake Project, \$51,000** – This contract will support a one year extension of this ongoing project. This is a project in Buena Vista County to protect and improve the water quality of Storm Lake by encouraging implementation of BMPs within the lake's watershed to reduce the sediment, nutrients and pesticides entering the lake. Activities conducted as part of this project include implementing structural and non-structural BMPs such as terraces, filter strips, contour farming, pasture and hayland management, conservation tillage (no-till), nutrient and pest management, and urban lawn care and education programs. Contract funds will be used to support a project coordinator and related project costs.
- **Johnson County Urban/Rural Project, \$100,000** – This is a new two year project that expands upon a project that will be completed in September 1999. The existing Johnson County Urban Project provides technical assistance and education on the effectiveness and feasibility of implementing erosion control practices on construction sites in Johnson County. This project will be ending in September 1999. The new Johnson County Urban/Rural Project will expand upon the previous project by continuing to work with industry on construction site erosion control and focusing on rapidly developing towns in Johnson County that were not covered during the previous project. In addition, the new project will work with farmers in rapidly developing areas to adopt erosion control BMPs now that can be "rolled over" during future development of farmland. The project will also use a geographic information system (GIS) to develop and analyze data regarding urban land uses and the impacts on water quality. Contract funds will be used to support a project coordinator, education activities and cost-share on BMPs to be used as demonstration sites.
- **Loess Hills Urban Water Quality Project, \$238,281** – This is a new three year project to reduce the impacts of urban runoff on water quality in the project area including Woodbury and Plymouth Counties. This will be done by educating the general public and the construction/development industry on new concepts and urban BMPs that can be incorporated into new developments to improve stormwater management, reduce construction site erosion and reduce water quality degradation resulting from urban runoff. The loess hills area is unique in Iowa due to loess soils, which are highly erosive, especially when wet. This project will focus on construction site erosion control BMPs that are well suited to these unique soils. Information developed in this project will be particularly useful to other areas across western Iowa as well. The project will incorporate BMP demonstration sites, field days, tours, workshops, presentations, and publications. Contract funds will be used to support a project coordinator, travel, equipment, financial incentives for demonstration sites and other project related costs.

- **Statewide Conservation Buffer Initiative, \$80,000** – This is a one year extension of a project that was not previously funded by Section 319. This project will provide assistance to all 99 Iowa counties in promoting installation of conservation buffers. The project will provide matching funds to interested county Soil and Water Conservation Districts (SWCDs) to hire staff to conduct a resource inventory in the county and to visit one-on-one with individual landowners to promote and encourage installation of conservation buffers through the existing USDA Conservation Reserve Program (CRP). Each SWCD would provide 50% matching funds to hire the part-time staff. Contract funds will be used to support a part-time staff person and other minor project costs such as supplies.
-

Contracts with Iowa Cattlemen's Association

- **Grassland Management and Water Quality Project, \$40,590** – This is a new two year project to implement a statewide information, education and demonstration program addressing grassland management and the impacts on water quality. The project will demonstrate innovative livestock watering systems that will help producers better manage their grasslands to provide both improved forage and improved water quality of local waterbodies. The project will also develop and distribute an educational magazine-like publication on grassland management and water quality. This publication will be mailed to ICA's 12,800 members, to prospective members, to mailing lists of other agricultural organizations, and will be made available during the Iowa Beef Expo, the Ottumwa Cow/Calf Conference and the 2000 ICA Convention (projected distribution is to 18,000 cattle producers across the State). Contract funds will support a part-time project coordinator, travel, producer surveys, field day costs and costs of the publication.
- **Impacts of Managed Grazing Project, \$296,955** – This is a new three year project to evaluate the impacts of managed grazing on stream ecology and water quality and to demonstrate BMPs in riparian corridors with livestock production. The project will work with the existing Raccoon River Watershed Project and the Bear Creek National Research and Demonstration Project to evaluate the impacts of various levels of livestock grazing on stream ecology and water quality. The project will also demonstrate sustainable grazing systems along riparian areas that will protect stream ecology and water quality. The project will compare the impacts of six different riparian management scenarios on aquatic and terrestrial habitat using replicated plots. Financial assistance will be provided to landowners to install BMPs for demonstration and comparison purposes. I&E activities will include field days, publications, presentations and a video. Contract funds will support salary of students, travel and other related project costs.

Mr. Valde reviewed the agenda item noting that only eight contracts are being presented for approval as one was pulled.

Rozanne King asked if the contract with Iowa Cattlemen's Association is a second stage of a previous contract.

Ubbo Agena, Environmental Protection Division, explained that it covers two separate stages of a project and he expanded on details of the project.

Motion was made by Rozanne King to approve the Section 319 Nonpoint Source Pollution Control Project contracts as presented. Seconded by Elizabeth Christiansen. Motion carried unanimously.

APPROVED AS PRESENTED

**FY 2000, ENVIRONMENTAL MONITORING AND LABORATORY SERVICES
AGREEMENT WITH UNIVERSITY OF IOWA HYGIENIC LABORATORY**

Mike Valde, Division Administrator, Environmental Protection Division, presented the following item.

Commission approval is requested for the FFY 2000 agreement with the University of Iowa's Hygienic Laboratory (UHL) for environmental monitoring and laboratory services for the Department's water and land quality programs. A separate agreement covers air quality related monitoring and analytical services. The agreement includes ambient water quality monitoring and reporting; compliance sampling of waste water treatment plants, analyses of field samples, water supply monitoring and reporting; analytical work related to the underground storage tank and uncontrolled sites programs; and provisions for a volunteer water quality monitoring coordinator.

The primary difference between the 1999 agreement and the 2000 agreement is the level of effort for ambient water quality monitoring. The enhanced ambient water quality monitoring program will include the following elements:

- **Physio-chemical monitoring at 60 fixed station sites (\$416,587)** - Monthly samples will be collected at sixty sites and analyzed for physical parameters (e.g., turbidity, temperature), nutrients, common herbicides, metals, and priority pollutants. The number of monitoring sites, the frequency of monitoring, and the number of analytes are being increased substantially over previous years.
- **Monitoring above and below Ten Iowa Cities \$45,466** – Samples will be collected two times per year upstream and downstream of ten major Iowa metropolitan areas and analyzed for physical parameters, nutrients, metals, and priority pollutants. This is a project to begin to look at the water quality impacts urban areas have on water quality, as agricultural interests often raise the issue of urban impacts versus rural impacts.
- **Biological Monitoring at 16 Fixed Sites (48,604)** – Over the past 5+ years, the Department, in cooperation with UHL, has been developing biological monitoring protocol and biological criteria for the smaller, wadeable streams in Iowa. This effort will begin a process to develop similar biological monitoring protocol and criteria for large rivers (e.g., the Des Moines River).

- **Biological Monitoring at 60 Wadeable Stream Sites (\$211,191)** – Using the biological monitoring protocol and criteria developed for wadeable streams, biological monitoring will be conducted at 20 reference sites and 40 sites where there is preliminary evidence of some type of aquatic life impairment.

The Department's Geological Survey Bureau is currently in the process of developing a comprehensive monitoring strategy. The above enhanced ambient water quality monitoring ~~program should be considered an initial step towards a comprehensive program but is not a~~ comprehensive program. As the monitoring strategy develops, it is likely that further enhancements and refinements will be necessary to carry out a comprehensive program. Therefore, there may be amendments to the agreement as the strategy develops.

The amount of the agreement is estimated at \$1,081,323. Attached is a summary of the projected costs broken down by program areas. The agreement amount reflects UHL's best estimate of their actual costs plus the University's indirect cost rate. In general, the UHL monitoring/analysis costs have not been increased over 1999 levels. The funds for the agreement will come from various EPA grants, fees paid to the Department, and the \$1,000,000 in infrastructure funds provided to the Department by the 1999 General Assembly. Iowa Code §455B.103 requires the Department to contract with state public agencies for these services unless the required services cannot be provided by such agencies.

Mr. Valde gave a detailed explanation of the contract.

Brief discussion followed regarding the variable payment agreement estimate.

Motion was made by Kathryn Murphy to approve the FY 2000 Environmental Monitoring and Laboratory Services Agreement with UHL. Seconded by James Braun. Motion carried unanimously.

APPROVED AS PRESENTED

Pete Hamlin, Bureau Chief, Air Quality Bureau commented that even though the air quality portion of the UHL contract is not on the agenda he would like to commend the UHL for the effort they have done in air quality monitoring. He related that in a recent meeting, EPA pointed out Iowa's PM_{2.5} monitoring network as an example that other states should look to.

APPOINTMENT – RICK ROBINSON (SECTION 319 CONTRACT PRESENTATION)

Rick Robinson, Farm Bureau, stated that Ubbo Agena will give a few comments overall on the Section 319 Program and he, himself, will speak about a specific contract the Farm Bureau had over the last couple of years.

Randal Giannetto arrived at this point in the meeting (11:00 a.m.)

Ubbo Agena, Environmental Protection Division, presented background on the Section 319 program and gave an overview of the program covering the following topics: Section 319 Requirements; Assessment Report; Management Plan Update; Section 319 Funding; Use of 319 Funds; Primary Focus of Funded Projects for FY 90-98; Project Application Process; Changes in Program Direction; and Current Status – Iowa's NPS Management Program. He distributed brochures on the following three Section 310 NPS projects: 1) Minnehaha Creek Watershed Project; 2) Three Mile Lake Project; and 3) Bigalk Creek Project.

Rick Robinson, Farm Bureau, stated that in 1996 the Farm Bureau submitted an application to the Section 319 Program for a mini-grant program which began in 1997. He distributed a hand-out containing a summary of projects under the county grant program administered by the Farm Bureau. He also distributed a paper on the Highlights of the Iowa Farm Bureau Federation's Environmental Program. He noted that these programs have funded 21 projects in 22 counties and \$51,000 has been awarded, with local match money also included. Mr. Robinson explained that they have an application and scoring process to fund the projects and a variety of different projects have been funded. He related that Bruce Voights, Wright County, is going to speak about a project in Wright County.

Bruce Voights, distributed a hand-out which was a letter from the Wright County Farm Bureau Chairman explaining their water quality education program. He related that they obtained \$2,000 from the Section 319 grant funds and they are providing water quality monitoring program with talented and gifted students. He noted that to get the program started they purchased nine pair of waders and nets for collecting the aquatic samples. He further explained how the sampling is done and how the microscopic work and identification is done in the classroom. He related that this helps them to determine the type of water quality by what they are finding in the water body. Mr. Voights stated that the students use three categories of insects as a guide to determine the type of water quality. He stated that the Soil Conservation is going to use a grant to involve some adults in water monitoring, and the students will train the adults who need training. He displayed a number of photos showing the students doing the testing involved in the project. He thanked the DNR and the Farm Bureau for their help with this program.

Rick Robinson noted that 95% of the projects funded in the mini-grant program have been effective, and Farm Bureau is now considering doing their own funding to continue the program. He thanked the DNR for their support of the 319 program.

REFERRALS TO THE ATTORNEY GENERAL

Mike Murphy, Bureau Chief, Enforcement and Compliance Bureau, presented the following item.

The Director requests the referral of the following to the Attorney General for appropriate legal action. Litigation reports have been provided to the commissioners and are confidential pursuant to Iowa Code section 22.7(4). The parties have been informed of this action and may appear to discuss this matter. If the Commission needs to discuss strategy with counsel on any matter

where the disclosure of matters discussed would be likely to prejudice or disadvantage its position in litigation, the Commission may go into closed session pursuant to Iowa Code section 21.5(1)(c).

a. Enviro Safe Air, Inc. (Sioux City) – air quality

Mr. Murphy briefed the Commission stating that Enviro Safe is an asbestos abatement company and this case involves two renovation projects in Sioux City, in 1998, one at the airport terminal and the other at the federal building. He noted that the inspector conducted an inspection after the projects had been done and found alleged violations in work practice standards as far as materials still being on site. He related that the materials were dry and various violations stemmed from those findings. Mr. Murphy stated that there had been four prior Administrative Orders with the company, one which is currently under appeal. He related that due to the history and past enforcement actions that have been taken, staff feel this matter should be referred to the Attorney General.

Appointment – Steve Andresen (Enviro Safe Air)

Steve Andresen, Attorney for Enviro Safe Air (ESA), stated that in regard to the start and stop dates for the two projects were from 3-9-98 through 3-20-98. He noted that the inspections occurred at both building on 3-19-98 and 3-20-98. He related that the inspections took place at a time when ESA was still completing the jobs. He indicated that with respect to the federal building the claim is that there was material that was not wet for removal and it is unclear how much material they are talking about. He reiterated that when the inspections occurred ESA was still cleaning up the project. He related that ESA in going back and checking the project, they found dry material and were in the process of cleaning it up. He noted that when they asked if they would be given an opportunity to finish the job, they were told no. Mr. Andresen stated that the same thing is true with respect to the airport. He related that some small samples of material were found at the job at the same day they were out there to clean up. He stated that when the stop date is March 20, and ESA is there self-inspecting the project to make sure any material that is left is wetted, sealed and removed from the site, and they are told they cannot finish the job, they felt it was important to address the Commission. Mr. Andresen noted that ESA has an independent agency perform air sampling throughout the project and the monitoring showed the air was clean. He stated that it appears the referral is based on the four previously issued AO's and they are allegations of violations, which go back to 1993. He noted that ESA has had 2000 projects since 1993 and only four AO's brought up. He related that they should not be referred because the inspection was done before the stop date of the projects.

Appointment - Malcom Gibson (Enviro Safe Air referral)

Malcom Gibson, President of Enviro Safe Air, stated that he has been in the asbestos abatement business since 1983 and have done as many projects as any contractor in the business. He covered his history with asbestos work and related that he knows the health aspects of asbestos.

He stated that it is virtually impossible, on a project with thousands of tons of asbestos, to overlook a small piece of asbestos. He told of a case when he received a citation for a rather insignificant violation, whereby a secretary in Omaha made an error sending EPA a notification instead of sending it to the Iowa DNR and it cost him \$5,000 for this clerical error. He related that most of the Administrative Orders were for paper work violations.

Vice-Chair Townsend asked Mr. Gibson to summarize the method used in the asbestos abatement projects.

Mr. Gibson stated that in the federal building basement he used "glove bag removal" and he gave details of that process. He noted that one thing found in the inspection was a piece of asbestos between the pipe hanger and the pipe coming from the ceiling. He related that it is dark up there and it might not have gotten washed down into the bag. Mr. Gibson stated that on the other project, using a power washer, they put a double washing on the walls and ceiling and applied double poly. He related that the power washer may have blown some matter up in a corner. He expanded on the process and how some of the problems may occur. He discussed the inspection on the 19th and 20th of March and noted that there was no endangerment to public health on either project.

Mr. Murphy pointed out that the inspector is not present to explain his findings but the report states that materials were found on both days and the Commission has heard there was dry material present. He related that the inspector says there is a way to do the job right and not have any dry materials present, adding that the inspector has done many inspections where he has not found anything.

Rozanne King asked if it is common for the inspector to come in periodically during the ongoing removal. She asked if the company is still in the process how the inspector knows they are not going to be doing complete removal.

Mr. Murphy replied that in most cases the inspector tries to get there at the end of the project. He stressed that there should not be dried asbestos out in the open anytime during the project.

Discussion followed regarding the time of inspections; the air exchange process during the project, and how the material is kept wet.

Pete Hamlin explained that the asbestos that has been broken or removed from the ceiling has to be kept wet so fibers are not floating around in the air. He noted that the inspector goes out and inspects during and at the end of the process to be sure the material is either wet or properly bagged if not kept wet. Mr. Hamlin stated that it is not just a question of having doors to the area locked, it is a matter of making sure no particles get in the air ducts as it is a cancer causing agent. He related that the material must be handled properly. He noted that he would be willing to make a presentation at a future meeting on how inspections are done and some of the common problems that are encountered.

Vice-Chair Townsend commented that he would like more detail on the DNR's part in this case.

Rita Venner asked if this item could be tabled until the staff could provide more information on it at a later meeting.

Motion was made by Rita Venner to table the Environ Safe Air referral to a later meeting. Seconded by Randal Giannetto. Motion carried unanimously.

REFERRAL TABLED

PROPOSED RULE—CHAPTER 61, WATER QUALITY STANDARDS, COE NATIONWIDE PERMITS

Mike Valde, Division Administrator, Environmental Protection Division, presented the following item.

The commission will be provided with a draft Notice of Intended Action which would initiate rule making to grant Section 401 water quality certification for five new Corps' Nationwide Section 404 permits (NWP), six modified NWPs, and a regional permit. Section 401 water quality certification is a state water quality agency's certification that a proposed activity will not violate state water quality standards and is required before the Corps can issue a Section 404 permit.

The five new nationwide permits and six modified nationwide permits will replace the existing Nationwide Permit 26 (which became effective December 13, 1996 and will expire December 30, 1999). The proposed five new NWPs are:

<u>NWP</u>	<u>Title</u>
39	Residential, Commercial, and Institutional Development
41	Reshaping Existing Drainage Ditches
42	Recreational Facilities
43	Stormwater Management Facilities
44	Mining Activities

The six modified NWPs include:

<u>NWP</u>	<u>Title</u>
3	Maintenance (of previously permitted structures or fills)
7	Outfall Structures and Maintenance
12	Utilities Line Activities
14	Linear Transportation Crossings
27	Stream and Wetland Restoration Activities
40	Agricultural Activities

For all NWPs, there are general conditions that have to be met before an activity can be authorized by the NWP. Some general conditions are specific to certain NWPs while others

apply to all NWP. The Corps is proposing to modify nine NWP general conditions and add three new general conditions. In addition, the Corps is proposing additional regional conditions specific to Iowa on the NWPs.

The Rock Island District is also proposing a new regional permit that would authorize residential, commercial, institutional, agricultural, transportation, and passive recreational projects involving the loss of 3 acres or less of most jurisdictional waters, 1 acre or less of playas, prairie potholes, or vernal pools, or less than 500 linear feet of streambed. In general, the regional permit would require pre-construction coordination with resource agencies if the potential loss is greater than ¼ acre or 250 linear feet of streambed. Compensatory mitigation would typically be required if the potential loss exceeded ¼ acre.

(A copy of the rule is on file in the department's Records Center)

Mr. Valde reviewed details of the proposed rules.

INFORMATIONAL ONLY

PROPOSED RULE—CHAPTER 22, REVISED CAP ON TITLE V OPERATING PERMIT FEES

Mike Valde, Division Administrator, Environmental Protection Division, presented the following item.

The attached draft Notice of Intended Action to amend Chapter 22, "Controlling Pollution" 567 Iowa Administrative Code is being presented to the Environmental Protection Commission for information.

By rule, Air Quality Bureau is required every March to provide the Commission a draft budget for the purposes of establishing the Title V Operating Permit fee. Emission estimates reported by industrial facilities are then used at the May Commission meeting to set the fee. The Commission is prohibited by rule from setting the fee higher than \$24 per ton without a formal rulemaking.

The purpose of this proposed revision is to change the \$24 maximum annual Title V Operating Permit fee from the current fixed dollar amount to a level that is specified in the Code of Federal Regulations to be the "presumptive minimum" annual operating permit fee necessary to effectively implement the Title V Operating Permit program. This "presumptive minimum" fee was first set in 1994 at \$25 per ton, and is adjusted annually by the consumer price index. The federally specified presumptive minimum fee is presently calculated at \$33.20 per ton.

The Commission will continue to be asked annually to approve the Title V fee as justified by the Air Quality Bureau's projected budget and the reported tonnage of air contaminant emissions. However, the maximum amount of the fee that can be assessed without specific rulemaking will also be annually adjusted.

This rule revision is necessary because the air quality program will utilize all of the carry-forward funds from past years during fiscal year 2000. Although the air program budget remains essentially unchanged for 2001, the transfer of 5 staff positions from state and federal grant funding to the more appropriate Title V fee funding and routine personnel cost increases have resulted in a projected need to increase the fees charged for fiscal year 2001. The anticipated fee that would need to be paid in 2001 would be approximately \$28 per ton.

ENVIRONMENTAL PROTECTION COMMISSION [567]

Notice of Intended Action

Pursuant to the authority of Iowa Code section 455B.133, the Environmental Protection Commission hereby gives Notice of Intended Action to amend Chapter 22, "Controlling Pollution", 567 Iowa Administrative Code.

The purpose of this rule making is to change the maximum annual Title V Operating Permit fee that the Department can charge from the current fixed dollar amount of \$24 to a level that is specified in the Code of Federal Regulations to be the presumptive minimum annual operating permit fee necessary to effectively implement the Title V Operating Permit program. EPA annually adjusts this presumptive minimum fee by the consumer price index as provided for in the Code of Federal Regulations.

The Commission will continue to be asked annually to approve the Title V fee that is charged to permit applicants as justified by the Air Quality Bureau's projected budget and the reported tonnage of air contaminant emissions.

Due to the protracted timeframe necessary for any rulemaking, the proposal to adjust the maximum fee to an annually adjusted maximum would provide the Department and the Commission with additional flexibility for setting the annual fee to be charged permit applicants.

Item 1 revises the limitation of the commission to set a Title V Operating Permit fee from the current fixed limit of \$24 per ton of actual emissions to level consistent with EPA's annually adjusted presumptive minimum fee necessary for the effective implementation of the program.

Any person may make written suggestions or comments on the proposed rules on or before _____. Written comments should be directed to Doug Campbell, Iowa Department of Natural Resources, Air Quality Bureau, 7900 Hickman Road, Suite 1, Urbandale, IA 50322, FAX (515) 242-5094.

A public hearing will be held at the conclusion of the comment period on _____ at _____ in the Air Quality Bureau's office at 7900 Hickman Road, Urbandale, Iowa, at which time comments may be submitted orally or in writing.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility should contact the Department of Natural Resources to advise the Department of any specific needs.

This amendment may impact small business.

This amendment is intended to implement Iowa Code section 455B.133.

The following amendment is proposed.

ITEM 1. Amend 567—22.106(1) *Fee established.* Any person required to obtain a Title V permit shall pay an annual fee based on the total tons of actual emissions of each regulated air pollutant, ~~beginning November 15, 1994. Beginning July 1, 1996, Title V operating permit fees~~ will be paid on July 1 of each year. The fee shall be based on actual emissions required to be included in the Title V operating permit application and the annual emissions statement for the previous calendar year. The department and the commission will review the fee structure on an annual basis and adjust the fee as necessary to cover all reasonable costs required to develop and administer the programs required by the Act. The department shall submit the proposed budget for the following fiscal year to the commission no later than the March meeting. The commission shall set the fee based on the reasonable cost to run the program and the proposed budget no later than the May commission meeting of each year. The commission shall provide an opportunity for public comment prior to setting the fee. The commission shall not set the fee higher than ~~\$24 per ton~~ the annually adjusted presumptive minimum fee as provided for in 40 CFR Part 70.9 without adopting the change pursuant to formal rule making.

Mr. Valde explained details of the rule noting that it would change the \$24/ton maximum fee to the federal presumptive minimum, which is \$33.20/ton.

Gary Priebe asked if we would not have to charge the full \$33.20/ton.

Mr. Valde related that the \$33.20 is a cap but the state could charge less, adding that the anticipated fee for next year would be \$28/ton.

Pete Hamlin explained that the state has subsidized the Title V program by charging five staff members to the federal grant instead of the Title V. He related that those positions are going to have to be moved back under Title V. Also, the state has been able to keep the fee low because there has been carryover from the previous year and that is spent down so there is no longer any carryover available.

Rozanne King asked why the five FTE's were not being covered by the Title V fees, adding that she thought the fee had to pay for the program.

Mr. Hamlin replied that it was a decision that had been made previously and was to keep the fee as low as possible. He explained that those positions were in the construction permit program.

Rozanne King asked if EPA adds requirements and does not fund them wher the money would come from.

Mr. Hamlin stated that it is a constant struggle with EPA where they add responsibilities with no increase in funding, and the state has to accept it and find a way to get the job done so as not to jeopardize the federal grants.

James Braun asked how many tons per year are discharged.

Mr. Valde replied that approximately 228,000 tons a year are emitted, adding that it varies from year to year.

INFORMATIONAL ONLY

REVISION OF STATE IMPLEMENTATION PLAN FOR PM₁₀ FOR MASON CITY

Mike Valde, Division Administrator, Environmental Protection Division, presented the following item.

The Commission will be asked in a future meeting to approve for submittal to EPA, a revision of Iowa's State Implementation Plan (SIP) for particulate matter of less than 10 microns size (PM₁₀) for Mason City, Iowa.

Monitored exceedances and resultant violations of the 24-hour National Ambient Air Quality Standards (NAAQS) for PM₁₀ occurred at the Mason City monitoring site in 1993. Additional monitored exceedances of the NAAQS occurred in 1994, 1995 and 1996.

The Department, in conjunction with the affected industries, two Portland cement companies, have discussed and reviewed various options for minimizing the PM₁₀ contributions from the sources. A plan, including the commitments from the facilities, has been developed by this joint effort and is the basis for IDNR's revision to the PM₁₀ SIP.

The plan, which will be distributed at the September 20th Commission meeting, describes the enforceable administrative consent orders issued by the Department that will significantly reduce the contributions from PM₁₀ sources to the ambient air. These measures are specifically designed to help reduce the amount and ambient impact of PM₁₀ emissions. A Copy of the proposed SIP revision is available at the IDNR, Air Quality Bureau's office in Urbandale.

A 30-day public comment period and a public hearing in Mason City will be held prior to the Commission being asked to approve submitting this revision of the State's Implementation Plan to EPA.

(A copy of the plan is on file in the department's Records Center)

Mr. Valde reviewed the SIP in detail.

INFORMATIONAL ONLY

LINN COUNTY AIR POLLUTION CONTROL PROGRAM AGREEMENT AMENDMENT

Mike Valde, Division Administrator, Environmental Protection Division, presented the following item.

The Commission will be asked to approve an amendment to the interagency agreement between the Department and the Linn County Health Department, 2000-7230-03. The amendment represents an increase of \$40,000 in variable funds, from Title V Permit fees, to conduct survey sampling for pollutants in the ambient air. This is a transfer of obligation from agreement between the Department and the Linn County Health Department, 99-7230-03, covering the period of July 1, 1998 through June 30, 1999. Payment was withheld from the previous ~~agreement for failure to conduct survey sampling. The withheld funds will cover this transferred~~ obligation.

Amendment Number 1
**Iowa Department of Natural Resources
Agreement Number 2000-7230-03**

**With
The Linn County Health Department**

**For Execution of the State of Iowa
Air Pollution Control Implementation Plan within Linn County
for the Period from July 1, 1999 through June 30, 2000**

This amendment represents an increase of \$40,000 in variable funds, from Title V Permit fees, to conduct survey sampling for pollutants in the ambient air. This is a transfer of obligation from agreement between the Iowa Department of Natural Resources (hereafter IDNR) and the Linn County Health Department (hereafter Local Program), 99-7230-03, covering the period of July 1, 1998 through June 30, 1999. Once the amendment is executed, the Local Program will be responsible for the amended scope of work, and the additional variable funds will be made available.

ITEM 1. Amend Article IX, as follows:

ARTICLE IX. MANNER OF FINANCING

The duties to be performed by the Local Program, as outlined in Attachment A of this agreement, shall be financed as follows:

Duties outlined in Attachment A, Section III, and duties outlined in Attachment A, Sections II and IV, as they relate to major sources and synthetic minors (in relation to Title V sources), and Section V for Title V source-oriented ambient air monitoring, shall be financed by an air program grant from the State of Iowa Department of Natural Resources Title V Permit Fees. Agreement costs will not exceed the following amounts for Title V Permit Fees: Fixed costs - \$231,376, variable costs - ~~\$174,675~~~~\$134,675~~, and one-time costs - \$12,000.

Duties outlined in Attachment A, Sections II and IV, as they relate to minor sources (in relation to Title V) and Section V for community-oriented, non-Title V source-oriented, background and transport ambient air monitoring, shall be financed by a pass through 105 Federal Grant from the State of Iowa Department of Natural Resources for Quarters 2 through 4 of this agreement period. For Quarter 1 of this agreement, the Local Program is a direct grant recipient from the U.S. Environmental Protection Agency. The Local Program shall maintain current level of local funding, maintenance of effort, at \$80,895 for Quarters 2 through 4 to support this portion of the program. Agreement costs will not exceed the following amounts for 105 Federal Grant: Fixed costs - \$65,250, variable costs - \$17,625, and one-time costs - \$8,000.

Duties outlined in Attachment A, Section V, as it relates to PM_{2.5} monitoring, shall be financed by a pass through 103 Federal Grant from the State of Iowa Department of Natural Resources. Agreement costs will not exceed the following amounts for 103 Federal Grant: Fixed costs - \$30,000, and variable costs - \$5,000.

ITEM 2. Amend Article XI, as follows:

ARTICLE XI. **BUDGET**

The budget, provided in this Article, does not include Local Program Funding and 105 Federal Grant for the first quarter of the period of agreement.

Category	Totals
<i>Fixed Costs</i>	
Salary & Benefits	326,626
<i>Total Fixed Costs</i>	<i>326,626</i>
<i>Variable Costs</i>	
Other Supplies/Expenses	43,675
Med & Lab Supplies (Monitor Network/Lab Op and Maint)	35,000
Office Equipment & Furniture (Information Technology)	15,250
Misc. Equipment/Rep	8,375
Med & Lab/Engineering & Scientific Equipment (Monitor/QC Equipment)	55,000
Pollutant Survey Project	40,000
<i>Total Variable Costs</i>	<i>197,300</i>
	157,300
<i>One-Time Costs</i>	
Motor Vehicle Rep/Equipment	20,000
<i>Total One-Time Costs</i>	<i>20,000</i>

ITEM 3. Amend Attachment A, Section V, Subsection E, by adding the following **new** paragraph:

5. Pollutant Survey Project. The Local Program shall conduct a monitoring survey for pollutants of concern in their area of jurisdiction. The survey will be conducted during the spring and summer of 2000. The Local Program shall submit a plan for conducting this survey by January 1, and

a written progress report by June 15. The Local Program shall develop a QAPP and SOPs for the monitoring survey before initiating field sampling.

ITEM 4. Amend Attachment A, Section VI, as follows:

SECTION VI. Local Program Work Products

Product	Reference	Due Date	Date Submitted/ Completed
General Provisions			
Y2K Readiness Statement	Section I/E/2	August 1, 1999	
Expenditure Report	Section I/B/2	October 30, 1999	
MBE/WBE	Section I/G	October 30, 1999	
Expenditure Report	Section I/B/2	January 30, 2000	
MBE/WBE	Section I/G	January 30, 2000	
Personnel Report	Section I/A/3	January 30, 2000	
Personnel Plan	Section I/A/3	January 30, 2000	
Budget	Section I/B	January 15, 2000	
Initial Contract Review	Section I/C	April 1, 2000	
Expenditure Report	Section I/B/2	April 30, 2000	
MBE/WBE	Section I/G	April 30, 2000	
Final Contract Review	Section I/D	May 15, 2000	
Expenditure Report	Section I/B/2	July 30, 2000	
MBE/WBE	Section I/G	July 30, 2000	
Personnel Report	Section I/A/3	July 30, 2000	
Construction Permitting			
AFS Data Submittal	Section II/G/1	October 30, 1999	
AFS Data Submittal	Section II/G/1	January 30, 2000	
AFS Data Submittal	Section II/G/1	April 30, 2000	
AFS Data Submittal	Section II/G/1	July 30, 2000	
Compliance and Inspection			
Compliance Submission to AIRS	Section IV/D/1	Monthly on 15 th	
Inspection Schedule	Section IV/B/2/a	July 15, 1999	
Compliance Qtrly	Section IV/D/2	October 30, 1999	
Excess Emission Report	Section IV/E/2	November 14, 1999	
Compliance Qtrly	Section IV/D/2	January 30, 2000	
Excess Emission Report	Section IV/E/2	February 14, 2000	
Compliance Qtrly	Section IV/D/2	April 30, 2000	
Excess Emission Report	Section IV/E/2	May 15, 2000	
Compliance Qtrly	Section IV/D/2	July 30, 2000	
Excess Emission Report	Section IV/E/2	August 14, 2000	
Ambient Air Monitoring			
Monthly AIRS Recordkeeping Requirements	Section V/D/5/a	Monthly	
AIRS/PARS Data Submission	Section V/D/3	Monthly on 15 th	
Quarterly AIRS Recordkeeping Requirements	Section V/D/5/b	Quarterly	

Product	Reference	Due Date	Date Submitted/ Completed
Y2K Readiness Statement	Section V/E/1	August 1, 1999	
ESC Dataloggers installed	Section V/E/1	August 1, 1999	
ESC Polling Software installed	Section V/E/1	September 1, 1999	
PM _{2.5} Characterization Study	Section V/E/3	September 1, 1999	
Quarterly Monitoring Report	Section V/D/6/c	October 30, 1999	
Relocate and operate PM _{2.5} TEOM to its CORE FRM site	Section V/A/1/b	January 1, 2000	
PM _{2.5} Speciation Monitoring QAPP/SOP (Draft)	Section V/B/2/a	January 15, 2000	
Quarterly Monitoring Report	Section V/D/6/c	January 30, 2000	
NO _x Monitoring QAPP/SOP (Draft)	Section V/B/2/a	February 15, 1999	
PM _{2.5} Speciation Monitoring QAPP/SOP (Final)	Section V/B/2/a	March 1, 2000	
Network Planning Report	Section V/C/4	March 1, 2000	
Annual Network/ Quality Assurance Review	Section V/B/6	March 15, 2000	
Realtime Ozone Project	Section V/E/2	March 15, 2000	
Pollutant Survey Project-Plan	Section V/E/5	January 1, 2000	
Pollutant Survey Project-Report	Section V/E/5	June 15, 2000	
NO _x Monitoring QAPP/SOP (Final)	Section V/B/2/a	February 15, 1999	
Locate and operate new Ozone/MET site north of Waterloo	Section V/A/1/d	April 1, 2000	
Locate and operate new NO _x monitor at existing Coggon Elementary School site	Section V/A/1/e	April 1, 2000	
Quarterly Monitoring Report	Section V/D/6/c	April 30, 2000	
Relocate Van Vechten Park SO ₂ site to high impact location in the vicinity of ADM	Section V/A/1/f	June 1, 2000	
Quarterly Monitoring Report	Section V/D/6/c	July 30, 2000	
Locate and operate new monitor at new Archer Daniels Midland Site	Section V/A/1/a	September 1, 2000	

IN WITNESS THEREOF, DNR and the Local Program have executed four copies of this Amendment, each of which shall be considered an original.

Chairperson
Linn County Board of Health
DATE: _____

Deputy Director
Iowa Department of Natural Resources
DATE: _____

This amendment was approved, as required by Subsection 455B.105(6) of the Code of Iowa, by the Environmental Protection Commission on _____, 1999.

Mr. Valde reviewed details of the agreement.

Brief discussion followed regarding where the money comes from (Title V fees) and placement of the monitors.

Motion was made by Rita Vennen to approve the Linn County Air Pollution Control Program Agreement as presented. Seconded by James Braun. Motion carried with Elizabeth Christiansen abstaining due to a conflict of interest.

APPROVED AS PRESENTED

MAINTENANCE CONTRACT FOR STATE PERMITTING AND AIR REPORTING SYSTEM (SPARS)

Mike Valde, Division Administrator, Environmental Protection Division, presented the following item.

The Commission will be asked to approve contract with Windsor Technologies, Inc. for \$98,444 for the period of September 21, 1999, through May 2, 2000.

Windsor Technologies will be responsible for resolving the problems and software defects reported by the Air Quality Bureau Staff and Clients as the system goes through final testing and into full implementation. Second, Windsor Technologies will provide the following system enhancements, among others:

- ♦ Provide Emission Inventory Functionality in SPARS. A major portion of the Title V permit application is the yearly submittal of an emission inventory. SPARS could be modified to calculate emissions. In addition, an import could be developed that allows for emission calculations to be imported into SPARS to calculate emissions.
- ♦ Develop SPARS Wizards. Various wizards could be developed that lead novice users to input basic data into SPARS. There could a wizard to input basic site information; one to configure the emission units, emission points, control equipment and monitoring equipment; one to complete a construction permit application; one to complete a Title V Operating permit application; and one to complete the annual summary emission inventory.
- ♦ Enhance Data Navigation. The navigation between emissions points in form 4.0 and 5.0 could be enhanced. In addition, search tools could be developed to find strings in the source description information, allow for jumping to specific emissions points, etc. Other tools could be developed to allow for the quick selection of emission points, emission units, etc.
- ♦ Develop a NET Format Export. The US EPA is moving away from the AIRS data format to the NET data format for emissions. A Net Data export function could be developed for the LAN version of SPARS. The US EPA currently accepts NET formatted data and intends to drop support for the AIRS format in the two to three years.
- ♦ Increase SPARS Performance. One of the areas identified by the client control group is the performance of SPARS. SPARS is a complex system with many constraints and features to ensure data integrity. Some of the functions and processes take some time to process. However, some of the more commonly used functions can be enhanced to minimize the processing time.
- ♦ Enhance IPI Import Functionality. The current IPI data import could be further enhanced. The current IDNR Air Permit Application forms do not always limit the information that can be

put into a given field. Unless the IPI import editing software has anticipated the data that could be entered into each field, then an error may result when unexpected data are imported. The IPI import software could be modified to anticipate additional incorrect data imports or an editor could be created that allows for a more “intelligent” analysis of the data that are to be imported before it is imported.

- ♦ Enhance Web Site Functionality. The web site could be enhanced to support automated updates to the software and/or help files that will be used by the facility clients and consulting groups. ~~Reference file updates, updated software and help files could be automatically downloaded to clients when they log into the SPARS web site to check for the latest version of the software.~~

Vice-Chair Townsend asked if some of the items were ones that were not originally planned for with the SPARS system.

Mr. Hamlin explained that there are some minor software adjustments that need to be made to the system to improve it. He noted that training will be available in November to introduce people to the system and a number of states who have expressed interest in the system will be invited in to see it.

Motion was made by James Braun to approve the maintenance contract for the SPARS system. Seconded by Elizabeth Christiansen. Motion carried unanimously.

APPROVED AS PRESENTED

FINAL RULE—CHAPTER 135, TECHNICAL STANDARDS AND CORRECTIVE ACTION REQUIREMENTS FOR OWNERS AND OPERATORS OF UNDERGROUND STORAGE TANKS (MTBE)

Mike Valde, Division Administrator, Environmental Protection Division, presented the following item.

The Director requests the Commission to adopt the enclosed amendment to Chapter 135. The amendment establishes the requirements for analyzing for methyl tertiary-butyl ether (MTBE) in soil and water samples collected as part of investigations and corrective action at underground storage tank sites. The rule implements 1999 Iowa Acts House File 772, Section 15(4)“c”.

The Commission previously filed the rule both as ‘Adopted and Filed Emergency’ and ‘Notice of Intended Action’ to allow for public comment and immediate implementation of MTBE analysis. Two comments on the rule were received. Attached is a memo summarizing the comments with departmental response. The rule is being adopted as previously filed with no changes.

The Director recommends this become effective upon filing under authority of Iowa Code section 17A.5(2)“b”(1). This provision allows the Commission to adopt the rules and make it

effective if a statute so provides. This monitoring requirement was required by statute and the rule clarifies the mechanics of implementing it. Since the rule as adopted emergency and is not being amended, it would serve little purpose to delay its effective date.

**ENVIRONMENTAL PROTECTION COMMISSION[567]
Adopted and Filed**

Pursuant to the authority of Iowa Code section 455B.474, the Environmental Protection Commission amends Chapter 135, "Technical Standards and Corrective Action Requirements of Owners and Operators of Underground Storage Tanks", Iowa Administrative Code by adding new rule 135.19 and rescinding the previously adopted emergency rule.

This amendment was Adopted and Filed Emergency effective July 1, 1999 and published as ARC 9213A in the July 14, 1999 Iowa Administrative Bulletin. The Department also provided an opportunity for public comment by filing a Notice of Intended Action as ARC 9198A. The amendment established the requirements for analyzing soil and groundwater samples for the presence of methyl tertiary-butyl ether (MTBE) as required by 1999 Iowa Acts, H.F. 772, section 15(4)"c".

Two comments from the public were received on the Notice. One comment supported the rule as filed. The other comment supported the rule but suggested MTBE monitoring and analysis should cease if no MTBE contamination is found in the first round of samples. The Commission has decided to require continuous monitoring for MTBE as stated in the amendment. The statute established a mandatory monitoring requirement for MTBE as well as an interim legislative committee to study the issue. The department will review the analytical results collected and include a statement of findings and recommendations to the 2000 General Assembly on MTBE analysis.

The adopted rules are identical to those published under Notice and adopted emergency.

The Commission had decided these rules should become effective upon filing under the authority of Iowa Code section 17A.5(2)"b". This monitoring requirement is mandated by statute, it has been in effect as an emergency rule, and no revisions to the noticed rule are being made.

This amendment is intended to implement 1999 Iowa Acts, House File 772.

Mr. Valde noted that this rule was brought to the Commission several months as an Emergency Rule and it is now in effect. He related that this rule is to adopt the rule as a Final Rule and repeal the rule that was adopted as Emergency.

Brief discussion followed.

<i>Motion was made by Rozanne King to approve Final Rule—Chapter 135, Technical Standards and Corrective Action Requirements for Owners and Operators of UST's. Seconded by James Braun. Motion carried unanimously.</i>
--

APPROVED AS PRESENTED

APPROVAL OF ENFORCEMENT ACTION – DARWIN EIMERS AND DAVID O'BRIEN

Mike Murphy, Bureau Chief, Enforcement and Compliance Bureau, presented the following item.

The Commission is requested to approve an enforcement action relating to an animal feeding operation. Iowa Code section 455B.110(3) provides that we may not initiate an enforcement action relating to animal feeding operations, seeking a penalty in excess of \$3,000.00 unless the Environmental Protection Commission has approved the intended action. A proposed Consent Administrative Order relating to a discharge of swine manure, has been provided to the Commission. This document explains the background of this matter. The Director and the parties have agreed to resolve this matter through a Consent Administrative Order including a penalty of \$4,000 and requiring restitution of \$801.64 for fish killed in the incident.

Mr. Murphy briefed the Commission on the details of this case.

<i>Motion was made by Rozanne King to approve the enforcement action as presented. Seconded by Kathryn Murphy. Motion carried unanimously.</i>
--

APPROVED AS PRESENTED

NEXT MEETING DATES

Rozanne King stated that she contacted the Wallace Foundation and the October date is available. She related that she did not secure the November date. She also noted that this facility is in close proximity to the Milk Unlimited Dairy. She stated that she did not contact the dairy because she wasn't sure which month the Commission wanted to do this.

Gary Priebe stated that November would be better for those involved in fall harvest.

Consensus of the Commission was to do the tour in the morning and meet at Wallace Foundation in the afternoon, for the November meeting.

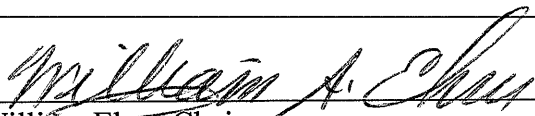
Rozanne King will make arrangements for the tour, catered lunch, and meeting facilities.

ADJOURNMENT

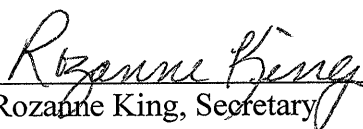
With no further business to come before the Environmental Protection Commission, Chairperson Ehm adjourned the meeting at 1:55 p.m., Monday, September 20, 1999.



Paul W. Johnson, Director



William Ehm, Chair



Rozanne King, Secretary

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